

March 30<sup>th</sup>, 2005  
MCA-MDT Technical Committee Meeting

The meeting began at 8:00 a.m. Bob Warren opened the meeting with introductions.

**NEW BUSINESS FROM MDT**

- 1. Changes in Letting Schedule.** MDT has heard that there is a possibility of a new Highway Bill in June. That is a very optimistic estimate and implementation will take another couple of months. The lettings will continue to be reduced until we have the final bill.
- 2. Design Build.** MDT gave a brief summary of the three design build projects. It is anticipated that we will report back to the Legislature early on the project results.

**AGENDA ITEMS**

- 1. Pre-permitting by Environmental Bureau.** MDT will continue pre-permitting on a case by-case basis particularly on well-defined items like detour locations. Each District is getting a new Environmental position and it is likely that this will help this process.
- 2. Traffic Control Units.** MCA agrees that Lump Sum, on a limited basis, will work when there is a good Traffic Control plan. The Contractor's feel that they are taking on all the risk when there is Lump Sum Traffic Control. MDT reconvened the Traffic Control Committee to address these concerns and has issued new guidance on the use of Lump Sum. MDT will continue to use Lump Sum in certain situations.
- 3. Erosion Control.** The new BMP rate schedule is out. MDT will continue working on this annually and welcomes all comments. MCA feels there should be some kind of a pay item for maintenance on Erosion Control. MDT has still not received specific examples and reasons. Routine maintenance can be included in the bid and unusual events are covered in other ways (force account). MCA advised that some EPM's are resistant to other methods and want silt fence. Other methods cost more initially but have reduced maintenance and may be cheaper in the long run. MDT will get a handout of the process for final inspections and termination from DEQ with transfer to maintenance. It is anticipated that the new District Environmental positions will help with these issues as well.
- 4. Utility Task Force.** MCA is moving forward with the Utility Task Force committee. No progress is anticipated until the legislative session is over
- 5. Contract Time.** MCA states contractors are experiencing problems with small jobs that have short contract time particularly when these jobs are let during construction. MCA would like to see some flexibility or provide MDT with some kind of a Chipping Schedule. MCA feels that flex time, used on a limited basis, would work. MDT advised that the days are now on the preliminary sheets.
- 6. Cement Supply.** MCA informed MDT about a possible cement shortage for this upcoming construction season. No change since last month, MCA will advise of any new developments with this issue. Diesel supply may also become an issue this summer. MCA will monitor and determine if this needs to be added as a new item.

## **NEW BUSINESS FROM MCA**

**1. Subcontractors 101.69 108.01.** MCA requested that the comment period be extended to allow further discussion. MCA would like to see the 40% based on subcontract amounts rather than on the bid price. MDT advised that CFR definitions may apply and stated that change orders are not included in the 40%. MDT feels (and thinks MCA will agree) that it is important to prevent "suitcasing" of projects.

**2. Protection of Property 107.10.** MCA believes that some aspects of this specification are not enforceable and it is wrong to blame the Contractor for damage to roads if the Contractor's equipment is hauling legally on public roads. MDT advised this is a political situation and several bills were contemplated for the current legislative session. MDT and MCA agreed that the specification needs some more work with better definitions.

**3. Payment of Estimates.** MCA advised that payments are often late with some items not getting on the monthly estimates in a timely manner. Cash flow may be causing some contractors to avoid work with MDT. MDT would like to go to bi-monthly payments and this will probably happen with Site Manager. If there is a problem with particular EPM's being late with payments, the Contractor should discuss it with the District Construction Engineer. MDT stated there is also a problem with bridge items and the schedule of payments that will be looked at for improvements.

**4. Sulfate Soundness.** MCA is still concerned with the tests and failure of many pits. MDT advised that they will not be testing the fines after this letting and are looking for an alternate test method (something that is faster and still accurate).

The next meeting will be **April 27<sup>th</sup>, 2005**, beginning at 8:00 a.m. at the **MCA Office**.

cc: Gene Kaufman, FHWA  
Loran Frazier  
James Walther  
Mark Wissinger  
Lisa Durbin  
Paul Jagoda  
Kent Barnes  
Suzy Althof

Paul Ferry  
Matt Strizich  
Scott Barnes  
District Construction Engineers  
MCA-Attn. De Dee Johnson  
Bob Warren  
Ryan Antonovich  
Dan Smith